

1 **TERRY A. DAKE, LTD.**
20 E. Thomas Rd.
Suite 2200
Phoenix, Arizona 85012-3133
Telephone: (602) 710-1005
tdake@cox.net

4 **Terry A. Dake - 009656**

5 Attorney for Trustee

6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8 In re:) In Chapter 7 Proceedings
9)
10 KOVACH, LLC;) Case No. 2:19-BK-15016-MCW
11 Debtor.)
_____)

12 **APPLICATION TO RETAIN**
13 **ATTORNEY FOR THE ESTATE**

14 The trustee applies hereby to retain the firm of **TERRY A.**
15 **DAKE, LTD.** ("TAD"), as attorney for the trustee, saying as follows:

16 1. A petition for relief under Chapter 7 of the Bankruptcy
17 Code was filed by the debtor.

18 2. I am the duly appointed trustee in this matter.

19 3. I wish to employ TAD as counsel to assist me in the
20 collection and administration of this estate.

21 4. I have selected TAD for the reason that TAD has
22 experience in matters of this character and I believe that TAD is well
23 qualified to represent me in this proceeding.

24 5. The legal services which TAD shall render to me include:
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1 A. Giving legal advice with respect to the powers and
2 the duties of the trustee in the operation of the estate and the
3 collection and management of the property of the estate.

4 B. To prepare on behalf of and to assist me in the
5 preparation of necessary applications, answers, orders, reports and
6 other legal documents.

7 C. To perform all other legal services for me as the
8 trustee requires and as are necessary to this proceeding.

9 6. I have determined that the services of legal counsel are
10 necessary for the proper administration of this estate.

11 7. I desire to retain TAD to perform legal services on an
12 hourly basis. The range of hourly rates for services to be provided by
13 TAD are as follows:

14 Attorney - \$350.00 per hour

15 8. I am informed and believe that TAD represents no interest
16 adverse to the debtor, me or the estate in matters upon which TAD is to
17 be employed and I believe that the employment of TAD would be in the
18 best interests of the estate.

19 9. TAD's affidavit and disclosure of compensation are
20 attached hereto.
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1 **WHEREFORE**, I pray that TAD be ordered retained as attorney for
2 the trustee in these proceedings.

3 DATED November 27, 2019.

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5 /s/ Robert A. MacKenzie
6 Trustee
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10)
Debtor.)
11 _____)

12 **DECLARATION IN SUPPORT OF APPLICATION**
13 **TO RETAIN ATTORNEY FOR THE ESTATE**

14 **TERRY A. DAKE** declares the following under penalty of perjury
pursuant to 28 U.S.C. §1746:

15 1. I am a shareholder of **TERRY A. DAKE, LTD.** ("TAD"). I am
16 licensed and duly admitted to practice law in the State of Arizona and
17 in the United States Bankruptcy Court for the District of Arizona.

18 2. An Application To Retain Attorney For The Estate
19 requesting the Court to order the appointment of TAD as attorneys for
20 the trustee in the above entitled bankruptcy estate has been filed in
21 this case.

22 3. TAD represents no interest adverse to the debtor, the
23 trustee or the estate in the matters upon which TAD is to be employed by
24 the trustee.
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1 4. The hourly rates for the services to be rendered to the
2 trustee in this estate are as follows:

3 Attorneys - \$350.00 per hour

4 5. TAD will represent no interest other than that of the
5 estate in the administration of this bankruptcy proceeding.

6 6. I declare under penalty of perjury that the foregoing is
7 true and correct.

8 Dated November 27, 2019.

9 **TERRY A. DAKE, LTD.**

10
11 By /s/ TD009656
12 Terry A. Dake
13 20 E. Thomas Rd.
14 Suite 2200
15 Phoenix, Arizona 85012-3133
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11 _____)

12 **UNSWORN DECLARATION UNDER PENALTY**
13 **OF PERJURY BY COUNSEL FOR THE TRUSTEE**

14 I hereby certify under penalty of perjury and pursuant to Rule
15 2016(b) of the Bankruptcy Rules of Procedure:

16 1. The compensation paid or promised for services rendered or to be
17 rendered in connection with the case is as follows:

18 **Counsel for the trustee shall seek reimbursement of fees and**
19 **costs from assets of the estate. Counsel has no other**
20 **agreement for the payment of fees and costs from any other**
21 **person or entity.**

22 2. That the source of such compensation is as follows:

23 **The estate.**

24 3. That Affiant has not shared nor agreed to share such compensation
25 with anyone.

26 Dated November 27, 2019.

27 **TERRY A. DAKE, LTD.**

28 By /s/ TD009656

Terry A. Dake

Attorney for the Trustee